

EXHIBIT 2

From: [Harris, Alissa N.](#)
To: [Frank Cornelius](#)
Cc: [Jana Hartman](#); [Mitchell West](#); [Pritchard, J. Scott](#); [Nadine Christian-Brittain](#); [Rubin, Michael P.](#); [walters@lowegrahamjones.com](#); [Lisa Elliott](#)
Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]
Date: Thursday, June 6, 2024 1:07:36 PM
Attachments: [image005.png](#)
[image001.png](#)

Frank,

Thank you for the confirmation on the JSR. We will get that on file.

The ESI protocol adheres to the model provided by the WDWA, so it would be helpful and make any meet and confer more productive if you could provide in advance some additional information as to what clarification you need on provisions B(2); C(2)(ii) and (c); C(3)(e) and (f); C(6); and C(7).

We appreciate your response on the discovery requests.

- We can discuss the RFAs, but RFA 1 is seeking facts and RFA 3 relates to the genuineness of the described document. Our understanding is that you have copies of the documents referenced, but please advise if that is not the case.
- We would also appreciate it if you could provide more information as to your position that the listed Interrogatories and/or RFPs are “overly broad and vague as to time and location in the jail or the precise information sought.” We don’t have the benefit of Defendants’ responses and objections at this point, so we need more specificity to fairly evaluate your concerns and have a productive meet and confer.
- Similarly, we would appreciate it if you could explain in advance of any meet and confer which specific interrogatories and RFPs Defendants contend are implicated by RCW 70.48, et seq. or “security concerns.” This seems like an issue that we should be able to work out through a stipulation, but we are again going to need a clearer understanding of your concerns.

We can be available Monday at 10am for a meet and confer.

Ali

Alissa Harris | Attorney

Direct: (206) 386-7526 | Mobile: (253) 740-7492

From: Frank Cornelius <frank.cornelius@piercecountywa.gov>

Sent: Thursday, June 6, 2024 9:30 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning. We have no further edits to the JSR and it can be filed. In addition, we have no edits to the proposed ESI Agreement. However, before it is finalized we believe it necessary to obtain clarification on some of the provisions. In particular, B(2); C(2)(ii) and (c); C(3)(e) and (f); C(6); and C(7).

Regarding Plaintiff's discovery request, many of the Interrogatories identified below are overly broad and vague as to time and location in the jail or precise information sought. Many interrogatories implicate the City and County Jails Act RCW 70.48 et al. regarding confidentiality, or implicate jail security concerns.

- Interrog. 3
- Interrog. 5 -9
- Interrog. 11
- Interrog. 14

*Corresponding RFP included

See also:

RFP 16 – 33

As you know, we are still finalizing an ESI Agreement and protocol. Until that protocol is finalized, we cannot move forward with ESI searches. At a minimum, an extension of time to respond to Plaintiffs' discovery requests is needed. If agreement regarding scope and other concerns involving Plaintiff's discovery requests cannot be reached, it is Defendants' intention to move for Protective Order.

In addition, Plaintiff's Requests for Admissions No. 1 and No. 3 are not in compliance with Rule 36(a) (2). Both reference documents. We do not believe that citation to documents from other litigation is proper.

Please advise if you are available today before 1:30 p.m. for a meet and confer. I am not available tomorrow, but my availability Monday is open.

Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

930 Tacoma Avenue South, Rm. 946

Tacoma, WA 98402-2171

Direct Line: 253.798.6514 Fax: 253.798.6713



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disclosure. If you are not an intended recipient, please permanently delete and notify me immediately. Thank you.

From: Pritchard, J. Scott <scott.pritchard@stoel.com>
Sent: Wednesday, May 29, 2024 12:13 PM
To: Frank Cornelius <frank.cornelius@piercecounitywa.gov>; Harris, Alissa N. <ali.harris@stoel.com>
Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>
Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank – Checking in here. Do you have any further edits or should we finalize and file?

Scott Pritchard | Partner
Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Frank Cornelius <frank.cornelius@piercecounitywa.gov>
Sent: Monday, May 20, 2024 5:42 AM
To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>
Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>
Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning. We are reviewing your edits and will follow up by separate email. Thank you

Frank Cornelius
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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Friday, May 17, 2024 4:28 PM

To: Frank Cornelius <frank.cornelius@piercecountywa.gov>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

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Monday at 10 doesn't work for me. I could do 11:30, or if 10 works for other plaintiff's counsel, feel free to go ahead without me. Is there anything you think would be helpful to discuss at this point Frank?

Scott Pritchard | Partner

Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Frank Cornelius <frank.cornelius@piercecountywa.gov>

Sent: Friday, May 17, 2024 3:22 PM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

I am available Monday at 10 a.m.

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Friday, May 17, 2024 2:56 PM

To: Frank Cornelius <frank.cornelius@piercecountywa.gov>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West

<west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>
Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank – I've attached a copy with additional edits from us in track, but I'm not available to discuss today. As you'll see, we do not think the proposal you made regarding phased discovery is workable, but we are happy to discuss if you think it would be helpful. Please let us know your availability on Monday or Tuesday of next week.

Scott Pritchard | Partner

Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Frank Cornelius <frank.cornelius@piercecountywa.gov>
Sent: Thursday, May 16, 2024 11:03 AM
To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>
Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>
Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning. Please see attached revised JSR. I am not available today to discuss but have availability tomorrow. Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

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From: Frank Cornelius

Sent: Wednesday, May 15, 2024 1:39 PM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West

<west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>

brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>;
walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good afternoon Scott. I expect that finalization of our draft with edits will not be complete until tomorrow. I will follow up with you tomorrow morning. Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

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From: Frank Cornelius

Sent: Wednesday, May 15, 2024 8:27 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West

<west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>;

walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Goal by end of day.

Frank Cornelius

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From: Pritchard, J. Scott <scott.pritchard@stoel.com>
Sent: Wednesday, May 15, 2024 8:02 AM
To: Harris, Alissa N. <ali.harris@stoel.com>; Frank Cornelius <frank.cornelius@piercecounitywa.gov>
Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>
Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank –

Following up on your markup of the joint report. When can we expect it?

Thanks,

Scott

Scott Pritchard | Partner
Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Harris, Alissa N. <ali.harris@stoel.com>
Sent: Wednesday, May 8, 2024 9:07 AM
To: Frank Cornelius <frank.cornelius@piercecounitywa.gov>
Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Pritchard, J. Scott <scott.pritchard@stoel.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com
Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning, Frank,

Ahead of the Rule 26(f) conference tomorrow, attached is a draft joint status report and discovery plan for your review.

Thank you,
Ali

Alissa Harris | Attorney
Direct: (206) 386-7526 | Mobile: (253) 740-7492

From: Frank Cornelius <frank.cornelius@piercecounitywa.gov>
Sent: Friday, May 3, 2024 9:13 AM
To: Pritchard, J. Scott <scott.pritchard@stoel.com>
Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Harris, Alissa N. <ali.harris@stoel.com>; Nadine Christian-Brittain

[<nadine.christian-brittain@piercecounitywa.gov>](mailto:nadine.christian-brittain@piercecounitywa.gov)

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV)

Good morning Scott. We have availability Thursday morning after 10. Please advise. Also, please include co-counsel Jana Hartman and our administrative assistant Nadine Christian-Brittain on all communications.

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

930 Tacoma Avenue South, Rm. 946

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From: Pritchard, J. Scott [<scott.pritchard@stoel.com>](mailto:scott.pritchard@stoel.com)

Sent: Friday, May 3, 2024 7:36 AM

To: Frank Cornelius [<frank.cornelius@piercecounitywa.gov>](mailto:frank.cornelius@piercecounitywa.gov)

Cc: Mark Walters [<walters@lowegrahamjones.com>](mailto:walters@lowegrahamjones.com); Mitchell West [<west@lowegrahamjones.com>](mailto:west@lowegrahamjones.com); Harris, Alissa N. [<ali.harris@stoel.com>](mailto:ali.harris@stoel.com)

Subject: Wolfclan v. Pierce County (C23-5399-TSZ-SKV)

Hi Frank,

Please let us know what works for you next week for a Rule 26(f) conference, and we will coordinate on our end. Tuesday and Thursday next week look pretty good for me at this point.

Thanks,

Scott

Scott Pritchard | Partner

STOEL RIVES LLP | 600 University Street, Suite 3600 | Seattle, WA 98101

Direct: (206) 386-7585 | Mobile: (610) 570-0604

scott.pritchard@stoel.com | [Bio](#) | [vCard](#) | www.stoel.com



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From: [Frank Cornelius](#)
To: [Harris, Alissa N.](#)
Cc: [Jana Hartman](#); [Mitchell West](#); [Pritchard, J. Scott](#); [Nadine Christian-Brittain](#); [Rubin, Michael P.](#); [walters@lowegrahamjones.com](#); [Lisa Elliott](#)
Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]
Date: Monday, June 10, 2024 10:45:13 AM
Attachments: [image002.png](#)

In anticipation of our meet and confer, please see below:

SHOULD INCLUDE INTERROG. NO. 2/RFP 2 – Overly broad and burdensome (“or reviewed” – this may include nonresponsive materials*)

*To extent that a RFP seeks materials “reviewed” – Overly broad and burdensome.

Interrog. No. 3: Obj – Overly broad as to timeframe (2012 to present/date of Amend. Complaint).
Grievance/Kiosk claim is individual to Wolfclan and is not part of class definition.

Interrog. No. 5:

- Discovery request implicates the Jail Act/RCW 70.48.100
- Overly broad as to location in the jail
- Overly broad and vague regarding “complaints about plumbing, sewage, and/or the toilets”
- In addition, the discovery request implicates ESI relating to possible communications. We have not finalized an ESI protocol and the discovery request is premature.

Interrog. No. 6:

- Overly broad as to timeframe and overly broad and vague as to “capacity of work

Interrog. No. 7:

- Overly broad as to timeframe (1985 – present/date of Amend. Complaint) and overly broad as to location of the jail.

Interrog. No. 8:

- Overly broad as to timeframe (2012 to present/date of Amend. Complaint).

Interrog. No. 9:

- Overly broad as to timeframe (1985 to present/date of Amend. Complaint). Compound – many different questions

Interrog. No. 11:

- Overly broad as to timeframe (2012 to present/date of Amend. Complaint). Grievance/Kiosk claim is individual to Wolfclan and is not part of class definition.
- Discovery request implicates the Jail Act//RCW 70.48.100
- Unduly burdensome

Interrog. No. 14:

- Discovery request implicates the Jail Act//RCW 70.48.100

All corresponding RFP (“or reviewed” – this may include materials nonresponsive*)

*Many RFP implicate ESI relating to possible communications. We have not finalized an ESI protocol and the discovery request is premature.

RFP 16 – 33

RFP 16:

- Overly broad as to “any other grievances filed by Plaintiff or any other inmate related to sewage, backflow of toilets, sanitation issues, and/or maintenance
- Vague as to sewage, backflow of toilets, sanitation, maintenance. The discovery request implicates ESI relating to possible communications. We have not finalized an ESI protocol and the discovery request is premature.
- Overly broad as to timeframe (2012 – present/date of Amend. Complaint)
- Discovery request implicates the Jail Act/RCW 70.48.100

RFP 17:

- Overly broad and vague as to documents sought. The discovery request implicates ESI relating to possible communications. We have not finalized an ESI protocol and the discovery request is premature.
- Overly broad as to timeframe (2012 – present/date of Amend. Complaint).

RFP 18:

- Overly broad – what is relevance of commissary?? The discovery request implicates ESI relating to possible communications *since discovery request states “all records related to Plaintiff...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 19:

- Overly broad in that the discovery request seeks a full/complete map of the entire jail.

RFP 20:

- Overly broad as to location of the jail.
- Overly broad as to timeframe (1985 to present/date of Amend. Complaint)
- Overly broad and vague as to “design, installation, maintenance, inspection, and/or replacement of any portion of the plumbing...”
- Unduly burdensome
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 21:

- Overly broad as to location of the jail.
- Overly broad as to timeframe (2012 to present/date of Amend. Complaint)
- Overly broad and vague as to “backflow of toilets, sewage issues, sanitation issues or the living or working conditions created thereby...”
- Unduly burdensome
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 22:

- Overly broad. Improper request to obtain discovery in other legal matters.

RFP 23:

- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.
- Vague as to plumber “Jason”

RFP 24:

- Overly broad – will capture materials not relevant.
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

Discovery request implicates the Jail Act/RCW 70.48.100

RFP 25:

- Overly broad – will capture materials not relevant.
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 26:

- Overly broad – will capture materials not relevant.
- Overly broad and beyond the dates in controversy (“any incarceration”)
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 27:

- Overly broad and vague (“in any way,” “cleaning supplies, plumbing issues, toilet backflow or other malfunctions, or complaints/grievances”)– will capture materials not relevant.
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.
- Discovery request implicates the Jail Act/RCW 70.48.100

RFP 28:

- Overly broad as to location of jail
- Overly broad and vague as to “any aspect of the plumbing,” “applicable regulation, code, ordinance, or other legal requirement.”
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 29: APPEARS DUPLICATIVE TO RFP 28

RFP 30:

- Does not appear related to this action.

RFP 31:

- Overly broad and vague as to “inspections”
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 32:

- Overly broad
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

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From: Harris, Alissa N. <ali.harris@stoel.com>

Sent: Thursday, June 6, 2024 1:07 PM

To: Frank Cornelius <frank.cornelius@piercecountywa.gov>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Pritchard, J. Scott <scott.pritchard@stoel.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank,

Thank you for the confirmation on the JSR. We will get that on file.

The ESI protocol adheres to the model provided by the WDWA, so it would be helpful and make any meet and confer more productive if you could provide in advance some additional information as to what clarification you need on provisions B(2); C(2)(ii) and (c); C(3)(e) and (f); C(6); and C(7).

We appreciate your response on the discovery requests.

- We can discuss the RFAs, but RFA 1 is seeking facts and RFA 3 relates to the genuineness of the described document. Our understanding is that you have copies of the documents referenced, but please advise if that is not the case.
- We would also appreciate it if you could provide more information as to your position that the listed Interrogatories and/or RFPs are "overly broad and vague as to time and location in the jail or the precise information sought." We don't have the benefit of Defendants' responses and objections at this point, so we need more specificity to fairly evaluate your concerns and have a productive meet and confer.
- Similarly, we would appreciate it if you could explain in advance of any meet and confer which specific interrogatories and RFPs Defendants contend are implicated by RCW 70.48, et seq. or "security concerns." This seems like an issue that we should be able to work out through a stipulation, but we are again going to need a clearer understanding of your concerns.

We can be available Monday at 10am for a meet and confer.

Ali

Alissa Harris | Attorney

Direct: (206) 386-7526 | Mobile: (253) 740-7492

From: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Sent: Thursday, June 6, 2024 9:30 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning. We have no further edits to the JSR and it can be filed. In addition, we have no edits to the proposed ESI Agreement. However, before it is finalized we believe it necessary to obtain clarification on some of the provisions. In particular, B(2); C(2)(ii) and (c); C(3)(e) and (f); C(6); and C(7).

Regarding Plaintiff's discovery request, many of the Interrogatories identified below are overly broad and vague as to time and location in the jail or precise information sought. Many interrogatories implicate the City and County Jails Act RCW 70.48 et al. regarding confidentiality, or implicate jail security concerns.

- Interrog. 3
- Interrog. 5 -9
- Interrog. 11
- Interrog. 14

*Corresponding RFP included

See also:

RFP 16 – 33

As you know, we are still finalizing an ESI Agreement and protocol. Until that protocol is finalized, we cannot move forward with ESI searches. At a minimum, an extension of time to respond to Plaintiffs' discovery requests is needed. If agreement regarding scope and other concerns involving Plaintiff's discovery requests cannot be reached, it is Defendants' intention to move for Protective Order.

In addition, Plaintiff's Requests for Admissions No. 1 and No. 3 are not in compliance with Rule 36(a) (2). Both reference documents. We do not believe that citation to documents from other litigation is proper.

Please advise if you are available today before 1:30 p.m. for a meet and confer. I am not available tomorrow, but my availability Monday is open.

Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

930 Tacoma Avenue South, Rm. 946

Tacoma, WA 98402-2171

Direct Line: 253.798.6514 Fax: 253.798.6713



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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Wednesday, May 29, 2024 12:13 PM

To: Frank Cornelius <frank.cornelius@piercecountywa.gov>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank – Checking in here. Do you have any further edits or should we finalize and file?

Scott Pritchard | Partner

Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Frank Cornelius <frank.cornelius@piercecountywa.gov>

Sent: Monday, May 20, 2024 5:42 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning. We are reviewing your edits and will follow up by separate email. Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

930 Tacoma Avenue South, Rm. 946
Tacoma, WA 98402-2171
Direct Line: 253.798.6514 Fax: 253.798.6713



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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Friday, May 17, 2024 4:28 PM

To: Frank Cornelius <frank.cornelius@piercecounitywa.gov>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Monday at 10 doesn't work for me. I could do 11:30, or if 10 works for other plaintiff's counsel, feel free to go ahead without me. Is there anything you think would be helpful to discuss at this point Frank?

Scott Pritchard | Partner

Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Sent: Friday, May 17, 2024 3:22 PM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

I am available Monday at 10 a.m.

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

930 Tacoma Avenue South, Rm. 946

Tacoma, WA 98402-2171

Direct Line: 253.798.6514 Fax: 253.798.6713



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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Friday, May 17, 2024 2:56 PM

To: Frank Cornelius <frank.cornelius@piercecounitywa.gov>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank – I've attached a copy with additional edits from us in track, but I'm not available to discuss today. As you'll see, we do not think the proposal you made regarding phased discovery is workable, but we are happy to discuss if you think it would be helpful. Please let us know your availability on Monday or Tuesday of next week.

Scott Pritchard | Partner

Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Sent: Thursday, May 16, 2024 11:03 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning. Please see attached revised JSR. I am not available today to discuss but have availability tomorrow. Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

930 Tacoma Avenue South, Rm. 946

Tacoma, WA 98402-2171

Direct Line: 253.798.6514 Fax: 253.798.6713



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From: Frank Cornelius

Sent: Wednesday, May 15, 2024 1:39 PM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good afternoon Scott. I expect that finalization of our draft with edits will not be complete until tomorrow. I will follow up with you tomorrow morning. Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

930 Tacoma Avenue South, Rm. 946

Tacoma, WA 98402-2171

Direct Line: 253.798.6514 Fax: 253.798.6713



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From: Frank Cornelius

Sent: Wednesday, May 15, 2024 8:27 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Goal by end of day.

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division
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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Wednesday, May 15, 2024 8:02 AM

To: Harris, Alissa N. <ali.harris@stoel.com>; Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank –

Following up on your markup of the joint report. When can we expect it?

Thanks,

Scott

Scott Pritchard | Partner

Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Harris, Alissa N. <ali.harris@stoel.com>

Sent: Wednesday, May 8, 2024 9:07 AM

To: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Pritchard, J. Scott <scott.pritchard@stoel.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning, Frank,

Ahead of the Rule 26(f) conference tomorrow, attached is a draft joint status report and discovery plan for your review.

Thank you,
Ali

Alissa Harris | Attorney

Direct: (206) 386-7526 | Mobile: (253) 740-7492

From: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Sent: Friday, May 3, 2024 9:13 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Harris, Alissa N. <ali.harris@stoel.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV)

Good morning Scott. We have availability Thursday morning after 10. Please advise. Also, please include co-counsel Jana Hartman and our administrative assistant Nadine Christian-Brittain on all communications.

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

930 Tacoma Avenue South, Rm. 946

Tacoma, WA 98402-2171

Direct Line: 253.798.6514 Fax: 253.798.6713



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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Friday, May 3, 2024 7:36 AM

To: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Cc: Mark Walters <walters@lowegrahamjones.com>; Mitchell West <west@lowegrahamjones.com>; Harris, Alissa N. <ali.harris@stoel.com>

Subject: Wolfclan v. Pierce County (C23-5399-TSZ-SKV)

Hi Frank,

Please let us know what works for you next week for a Rule 26(f) conference, and we will coordinate on our end. Tuesday and Thursday next week look pretty good for me at this point.

Thanks,

Scott

Scott Pritchard | Partner

STOEL RIVES LLP | 600 University Street, Suite 3600 | Seattle, WA 98101

Direct: (206) 386-7585 | Mobile: (610) 570-0604

scott.pritchard@stoel.com | [Bio](#) | [vCard](#) | www.stoel.com



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From: [Pritchard, J. Scott](#)
To: [Frank Cornelius](#); [Harris, Alissa N.](#)
Cc: [Jana Hartman](#); [Mitchell West](#); [Nadine Christian-Brittain](#); [Rubin, Michael P.](#); walters@lowegrahamjones.com; [Lisa Elliott](#)
Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]
Date: Tuesday, June 11, 2024 4:09:44 PM
Attachments: [image005.png](#)
[image001.png](#)
[02.03.2016 Email \(RFA 1\).pdf](#)
[400534-400546 FINAL Water Closet PreDesign Report.pdf](#)

Hi Frank,

You did not bring that issue up during our discussion, so it had appeared to us you accepted our explanation that RFA 1 seeks an admission as to a relevant fact in the case, and RFA 3 seeks an admission as to the genuineness of a described document. As to RFA 3, we know you have the underlying document, as it was first “otherwise furnished or made available for inspection and copying” by you. My understanding is that the document underlying the factual admission sought by RFA 1 was produced in response to a public records request. In any event, both documents are attached here, and we look forward to Defendants’ responses to each of Plaintiff’s RFAs. If you have some authority to support your claim that “citation to documents from other litigation” is not proper, please provide it and we will consider it upon receipt.

Scott Pritchard | Partner

Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Frank Cornelius <frank.cornelius@piercecountywa.gov>

Sent: Tuesday, June 11, 2024 3:43 PM

To: Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Pritchard, J. Scott <scott.pritchard@stoel.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; [Lisa Elliott](mailto:Lisa.Elliott@lowegrahamjones.com) <Imarieroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good afternoon. As indicated in prior email, Plaintiff’s Requests for Admissions No. 1 and No. 3 are not in compliance with Rule 36(a)(2). Both reference documents. We do not believe that citation to documents from other litigation is proper. Please produce copies of the documents cited. Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney’s Office Civil Division

930 Tacoma Avenue South, Rm. 946

Tacoma, WA 98402-2171

Direct Line: 253.798.6514 Fax: 253.798.6713



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From: Frank Cornelius

Sent: Tuesday, June 11, 2024 6:48 AM

To: Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Pritchard, J. Scott <scott.pritchard@stoel.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <imarieroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

930 Tacoma Avenue South, Rm. 946

Tacoma, WA 98402-2171

Direct Line: 253.798.6514 Fax: 253.798.6713



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From: Harris, Alissa N. <ali.harris@stoel.com>

Sent: Tuesday, June 11, 2024 6:34 AM

To: Frank Cornelius <frank.cornelius@piercecountywa.gov>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Pritchard, J. Scott <scott.pritchard@stoel.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <imarieroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank –

Correction to our email below: The two week extension makes Defendants' discovery responses due July 15, not July 8.

Thank you,
Ali

Alissa Harris | Attorney

Direct: (206) 386-7526 | Mobile: (253) 740-7492

From: Frank Cornelius <frank.cornelius@piercecountywa.gov>

Sent: Tuesday, June 11, 2024 6:10 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West

<west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>;
walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning. We will email the court and request and extension regarding the Initial Disclosure deadline. We disagree regarding the kiosks. In addition, it is defendants' position that the meet and confer requirement regarding Plaintiff's discovery requests was satisfied. We will continue to move forward with our case. Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

930 Tacoma Avenue South, Rm. 946

Tacoma, WA 98402-2171

Direct Line: 253.798.6514 Fax: 253.798.6713



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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Monday, June 10, 2024 4:12 PM

To: Frank Cornelius <frank.cornelius@piercecountywa.gov>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West

<west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>
Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank,

We agree to a two week extension, until June 25, 2024, to exchange initial disclosures.

We have also agreed to a two week extension for you to provide written objections and responses to each of our pending discovery requests. Please provide written responses and objections to the interrogatories and requests for production no later than July 8, 2024. In doing so, we ask that you be specific as to your objections and identify what information Defendants will / will not provide.

The parties also agreed to the model ESI agreement we shared last week which we plan to file today or first thing tomorrow.

As for the scope of discovery, we did not have the opportunity to review the email you sent 15 minutes before our meeting in detail. But to facilitate efficient discovery, the parties agreed that Defendants would begin by producing documents specific to cell block 3 North A dated within three years of the filing of Plaintiff's complaint.

On the call, Plaintiff noted that we anticipate additional rolling document production will be necessary. For example, Defendants acknowledged the relevance of documents related to the 2014 Plumbing report, and Plaintiff noted that issues with kiosks and/or plumbing in other cell blocks are relevant to the County's failure to remediate issues in 3 North A.

As we said on the call, we still do not have clarity as to Defendants' position on the scope of permissible discovery. Once Defendants provide responses and objections, we can then meet and confer in a way that will enable us to truly understand what issues remain between the parties that may necessitate motion practice. But before that happens, any motion for a protective order that Defendants may file would be premature.

We appreciate your continued cooperation as we navigate discovery in hopes of avoiding burdening the court with unnecessary motions practice.

Best,

Scott

Scott Pritchard | Partner

Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Sent: Monday, June 10, 2024 2:23 PM

To: Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Pritchard, J. Scott <scott.pritchard@stoel.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good afternoon. Initial disclosure are due tomorrow June 11, 2024. We request an agreed extension of two weeks – pursuant to Dkt. 105 we can email court for approval. Please advise.

The following is a brief summary of our meet and confer Teams call today. At this time, the parties agree that the applicable timeframe for discovery searches will be based on a 3-year time period starting from April 8, 2020 to April 8, 2023 and/or the date, 5/2/23, of the initial Complaint Dkt. 1-1.

The applicable location related to discovery requests will be the Pierce County Jail Cell Block 3 North A. In addition, I agreed to follow up with you by or before Friday with identification of records custodians and databases related to particular discovery requests for determination of ESI search terms.

Plaintiff also agreed to a two-week extension of time to respond to discovery. However, it is recognized that ESI discovery will likely take longer to start and complete.

Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

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From: Frank Cornelius

Sent: Monday, June 10, 2024 10:45 AM

To: Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Pritchard, J. Scott <scott.pritchard@stoel.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

In anticipation of our meet and confer, please see below:

*SHOULD INCLUDE INTERROG. NO. 2/RFP 2 – Overly broad and burdensome (“or reviewed” – *this may include nonresponsive materials*)

*To extent that a RFP seeks materials “reviewed” – Overly broad and burdensome.

Interrog. No. 3: Obj – Overly broad as to timeframe (2012 to present/date of Amend. Complaint). Grievance/Kiosk claim is individual to Wolfclan and is not part of class definition.

Interrog. No. 5:

- Discovery request implicates the Jail Act/RCW 70.48.100
- Overly broad as to location in the jail
- Overly broad and vague regarding “complaints about plumbing, sewage, and/or the toilets”
- In addition, the discovery request implicates ESI relating to possible communications. We have not finalized an ESI protocol and the discovery request is premature.

Interrog. No. 6:

- Overly broad as to timeframe and overly broad and vague as to “capacity of work

Interrog. No. 7:

- Overly broad as to timeframe (1985 – present/date of Amend. Complaint) and overly broad as to location of the jail.

Interrog. No. 8:

- Overly broad as to timeframe (2012 to present/date of Amend. Complaint).

Interrog. No. 9:

- Overly broad as to timeframe (1985 to present/date of Amend. Complaint). Compound – many different questions

Interrog. No. 11:

- Overly broad as to timeframe (2012 to present/date of Amend. Complaint). Grievance/Kiosk claim is individual to Wolfclan and is not part of class definition.
- Discovery request implicates the Jail Act//RCW 70.48.100
- Unduly burdensome

Interrog. No. 14:

- Discovery request implicates the Jail Act//RCW 70.48.100

*All corresponding RFP (“or reviewed” – this may include materials nonresponsive)

*Many RFP implicate ESI relating to possible communications. We have not finalized an ESI protocol and the discovery request is premature.

RFP 16 – 33

RFP 16:

- Overly broad as to “any other grievances filed by Plaintiff or any other inmate related to sewage, backflow of toilets, sanitation issues, and/or maintenance
- Vague as to sewage, backflow of toilets, sanitation, maintenance. The discovery request implicates ESI relating to possible communications. We have not finalized an ESI protocol and the discovery request is premature.
- Overly broad as to timeframe (2012 – present/date of Amend. Complaint)
- Discovery request implicates the Jail Act/RCW 70.48.100

RFP 17:

- Overly broad and vague as to documents sought. The discovery request implicates ESI relating to possible communications. We have not finalized an ESI protocol and the discovery request is premature.
- Overly broad as to timeframe (2012 – present/date of Amend. Complaint).

RFP 18:

- Overly broad – what is relevance of commissary?? The discovery request implicates ESI relating to possible communications *since discovery request states “all records related to Plaintiff...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 19:

- Overly broad in that the discovery request seeks a full/complete map of the entire jail.

RFP 20:

- Overly broad as to location of the jail.
- Overly broad as to timeframe (1985 to present/date of Amend. Complaint)
- Overly broad and vague as to “design, installation, maintenance, inspection, and/or replacement of any portion of the plumbing...”
- Unduly burdensome
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 21:

- Overly broad as to location of the jail.
- Overly broad as to timeframe (2012 to present/date of Amend. Complaint)
- Overly broad and vague as to “backflow of toilets, sewage issues, sanitation issues or the living or working conditions created thereby...”
- Unduly burdensome
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 22:

- Overly broad. Improper request to obtain discovery in other legal matters.

RFP 23:

- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.
- Vague as to plumber “Jason”

RFP 24:

- Overly broad – will capture materials not relevant.
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.
- Discovery request implicates the Jail Act/RCW 70.48.100

RFP 25:

- Overly broad – will capture materials not relevant.
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 26:

- Overly broad – will capture materials not relevant.
- Overly broad and beyond the dates in controversy (“any incarceration”)
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 27:

- Overly broad and vague (“in any way,” “cleaning supplies, plumbing issues, toilet backflow or other malfunctions, or complaints/grievances”)– will capture materials not relevant.
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.
- Discovery request implicates the Jail Act/RCW 70.48.100

RFP 28:

- Overly broad as to location of jail
- Overly broad and vague as to “any aspect of the plumbing,” “applicable regulation, code, ordinance, or other legal requirement.”
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 29: APPEARS DUPLICATIVE TO RFP 28

RFP 30:

- Does not appear related to this action.

RFP 31:

- Overly broad and vague as to “inspections”
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

RFP 32:

- Overly broad
- The discovery request implicates ESI relating to possible communications *since discovery request states “all documents and communications...”* We have not finalized an ESI protocol and the discovery request is premature.

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division

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Tacoma, WA 98402-2171

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From: Harris, Alissa N. <ali.harris@stoel.com>

Sent: Thursday, June 6, 2024 1:07 PM

To: Frank Cornelius <frank.cornelius@piercecountywa.gov>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Pritchard, J. Scott <scott.pritchard@stoel.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmarioybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank,

Thank you for the confirmation on the JSR. We will get that on file.

The ESI protocol adheres to the model provided by the WDWA, so it would be helpful and make any meet and confer more productive if you could provide in advance some additional information as to what clarification you need on provisions B(2); C(2)(ii) and (c); C(3)(e) and (f); C(6); and C(7).

We appreciate your response on the discovery requests.

- We can discuss the RFAs, but RFA 1 is seeking facts and RFA 3 relates to the genuineness of the described document. Our understanding is that you have copies of the documents referenced, but please advise if that is not the case.
- We would also appreciate it if you could provide more information as to your position that the listed Interrogatories and/or RFPs are "overly broad and vague as to time and location in the jail or the precise information sought." We don't have the benefit of Defendants' responses and objections at this point, so we need more specificity to fairly evaluate your concerns and have a productive meet and confer.
- Similarly, we would appreciate it if you could explain in advance of any meet and confer which specific interrogatories and RFPs Defendants contend are implicated by RCW 70.48, et seq. or "security concerns." This seems like an issue that we should be able to work out through a stipulation, but we are again going to need a clearer understanding of your concerns.

We can be available Monday at 10am for a meet and confer.

Ali

Alissa Harris | Attorney

Direct: (206) 386-7526 | Mobile: (253) 740-7492

From: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Sent: Thursday, June 6, 2024 9:30 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning. We have no further edits to the JSR and it can be filed. In addition, we have no edits to the proposed ESI Agreement. However, before it is finalized we believe it necessary to obtain clarification on some of the provisions. In particular, B(2); C(2)(ii) and (c); C(3)(e) and (f); C(6); and C(7).

Regarding Plaintiff's discovery request, many of the Interrogatories identified below are overly broad and vague as to time and location in the jail or precise information sought. Many interrogatories implicate the City and County Jails Act RCW 70.48 et al. regarding confidentiality, or implicate jail security concerns.

- Interrog. 3
- Interrog. 5 -9
- Interrog. 11
- Interrog. 14

*Corresponding RFP included

See also:

RFP 16 – 33

As you know, we are still finalizing an ESI Agreement and protocol. Until that protocol is finalized, we cannot move forward with ESI searches. At a minimum, an extension of time to respond to Plaintiffs' discovery requests is needed. If agreement regarding scope and other concerns involving Plaintiff's discovery requests cannot be reached, it is Defendants' intention to move for Protective Order.

In addition, Plaintiff's Requests for Admissions No. 1 and No. 3 are not in compliance with Rule 36(a) (2). Both reference documents. We do not believe that citation to documents from other litigation is proper.

Please advise if you are available today before 1:30 p.m. for a meet and confer. I am not available tomorrow, but my availability Monday is open.

Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

Pierce County Prosecuting Attorney's Office Civil Division
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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Wednesday, May 29, 2024 12:13 PM

To: Frank Cornelius <frank.cornelius@piercecountywa.gov>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank – Checking in here. Do you have any further edits or should we finalize and file?

Scott Pritchard | Partner

Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Frank Cornelius <frank.cornelius@piercecountywa.gov>

Sent: Monday, May 20, 2024 5:42 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning. We are reviewing your edits and will follow up by separate email. Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Friday, May 17, 2024 4:28 PM

To: Frank Cornelius <frank.cornelius@piercecounitywa.gov>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Monday at 10 doesn't work for me. I could do 11:30, or if 10 works for other plaintiff's counsel, feel free to go ahead without me. Is there anything you think would be helpful to discuss at this point Frank?

Scott Pritchard | Partner

Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Sent: Friday, May 17, 2024 3:22 PM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

I am available Monday at 10 a.m.

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Friday, May 17, 2024 2:56 PM

To: Frank Cornelius <frank.cornelius@piercecounitywa.gov>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank – I've attached a copy with additional edits from us in track, but I'm not available to discuss today. As you'll see, we do not think the proposal you made regarding phased discovery is workable, but we are happy to discuss if you think it would be helpful. Please let us know your availability on Monday or Tuesday of next week.

Scott Pritchard | Partner

Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Sent: Thursday, May 16, 2024 11:03 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning. Please see attached revised JSR. I am not available today to discuss but have availability tomorrow. Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

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From: Frank Cornelius

Sent: Wednesday, May 15, 2024 1:39 PM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good afternoon Scott. I expect that finalization of our draft with edits will not be complete until tomorrow. I will follow up with you tomorrow morning. Thank you

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

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From: Frank Cornelius

Sent: Wednesday, May 15, 2024 8:27 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>; Harris, Alissa N. <ali.harris@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecountywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecountywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Goal by end of day.

Frank Cornelius

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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Wednesday, May 15, 2024 8:02 AM

To: Harris, Alissa N. <ali.harris@stoel.com>; Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com; Lisa Elliott <lmariroybal@gmail.com>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Frank –

Following up on your markup of the joint report. When can we expect it?

Thanks,

Scott

Scott Pritchard | Partner

Direct: (206) 386-7585 | Mobile: (610) 570-0604

From: Harris, Alissa N. <ali.harris@stoel.com>

Sent: Wednesday, May 8, 2024 9:07 AM

To: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West <west@lowegrahamjones.com>; Pritchard, J. Scott <scott.pritchard@stoel.com>; Nadine Christian-Brittain <nadine.christian-brittain@piercecounitywa.gov>; Rubin, Michael P. <michael.rubin@stoel.com>; walters@lowegrahamjones.com

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV) [SR-ACTIVE.FID5523500]

Good morning, Frank,

Ahead of the Rule 26(f) conference tomorrow, attached is a draft joint status report and discovery plan for your review.

Thank you,
Ali

Alissa Harris | Attorney

Direct: (206) 386-7526 | Mobile: (253) 740-7492

From: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Sent: Friday, May 3, 2024 9:13 AM

To: Pritchard, J. Scott <scott.pritchard@stoel.com>

Cc: Jana Hartman <jana.hartman@piercecounitywa.gov>; Mitchell West

<west@lowegrahamjones.com>; Harris, Alissa N. <ali.harris@stoel.com>; Nadine Christian-Brittain

<nadine.christian-brittain@piercecounitywa.gov>

Subject: RE: Wolfclan v. Pierce County (C23-5399-TSZ-SKV)

Good morning Scott. We have availability Thursday morning after 10. Please advise. Also, please include co-counsel Jana Hartman and our administrative assistant Nadine Christian-Brittain on all communications.

Frank Cornelius

Deputy Prosecuting Attorney | Civil Litigation

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From: Pritchard, J. Scott <scott.pritchard@stoel.com>

Sent: Friday, May 3, 2024 7:36 AM

To: Frank Cornelius <frank.cornelius@piercecounitywa.gov>

Cc: Mark Walters <walters@lowegrahamjones.com>; Mitchell West

<west@lowegrahamjones.com>; Harris, Alissa N. <ali.harris@stoel.com>

Subject: Wolfclan v. Pierce County (C23-5399-TSZ-SKV)

Hi Frank,

Please let us know what works for you next week for a Rule 26(f) conference, and we will coordinate on our end. Tuesday and Thursday next week look pretty good for me at this point.

Thanks,

Scott

Scott Pritchard | Partner

STOEL RIVES LLP | 600 University Street, Suite 3600 | Seattle, WA 98101

Direct: (206) 386-7585 | Mobile: (610) 570-0604

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